IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

Crl.Rev.Pet.No. 655 of 2001(P)

CRA.82/1999 of ADDL. SESSIONS COURT, ALAPPUZHA
OS.211/1996 of JUDL.MAGISTRATE OF FIRST CLASS-II(MOBILE),ALAPPUZHA
.....

REVN. PETITIONER:

PERUMAL PILLAI, S/O.KOLAPPA PILLAI,
SAI HOUSE (KURUNGATTU) AVALOOKUNNU WARD,
ALAPPUZHA.

BY ADV. SRI.N.ANILKUMAR

RESPONDENTS:
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1. JOSEPH SEBASTIAN, S/O.SEBASTIAN,
PARUKKANPARAMBU, THIRUMALA WARD,
ALAPPUZHA.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI C.K.SURESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 14/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO.3133/2001 IN CRL.R.P.NO.655/2001

DISMISSED.

SD/- K.R.UDAYABHANU, JUDGE

14/11/2007

\\TRUE COPY//

K.R.UDAYABHANU, J.

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Crl. R.P.No.655 of 2001-C

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Dated this the 14th day of November, 2007

O R D E R

The revision petitioner is the accused in S.T.No.211/1996 with respect to the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months.

2. The counsel for the revision petitioner has only sought for modification of sentence. In the circumstances, the conviction is confirmed. The sentence is modified to imprisonment till the rising of the court and to pay compensation of rupees forty-five thousand (cheque amount) to the complainant and in default to undergo simple imprisonment for three months. It is submitted that Rs.20,000/- is already in deposit. If so, the revision petitioner shall deposit the balance amount and the court shall release rupees forty-five thousand to the complainant. The revision petitioner/accused is granted two months time to remit the balance amount. He shall appear before the Judicial Magistrate of the First Class-II, Alappuzha, on 14/01/2008 to receive the sentence. The criminal revision petition is disposed of as above.

Sd/-
K.R.UDAYABHANU,
Judge

ms